IN THE HIGH COURT OF PUNJAB & HARYANA CHANDIGARH

Criminal Revision No.371 of 1995
Date of Decision: December 19, 2007

NAZAR SINGH ETC.

.....PETITIONERS

VERSUS

STATE OF PUNJAB

.....RESPONDENT

. . .

CORAM: HON'BLE MR. JUSTICE A.N.JINDAL

Present: Mr. B.S.Bhalla, Advocate,
for the petitioners.

Mr. Satish Bhanot, Sr. DAG,Punjab.

A.N.JINDAL, J

There are three accused namely Nazar Singh, Ujjagar Singh and Darshan Singh in this case who were convicted by Judicial Magistrate Ist Class, Ludhiana vide judgment dated 28.07.1994 Nazar Singh was sentenced to undergo RI for a period of 1 ½ years and to pay a fine of Rs.300/- under Section 326 IPC and Ujjagar Singh was sentenced to undergo RI for 1 year and to pay a fine of Rs.300/- under Section 324 IPC. However, Darshan Singh was released on probation.

In appeal the sentence of Nazar Singh was reduced to six months under Section 326 and 3 months under Section 325/34 IPC whereas the sentence of Ujjagar Singh was reduced to 4 months u/s 325 IPC.

Without assailing the judgment of conviction, the petitioners have thrown themselves to the mercy of the Court and have pleaded for extending some leniency towards them on the quantum of sentence.

The occurrence took place as far back as on 29.04.1988. As such they have already suffered lot of agony during the protracted trial and the present proceedings. Nazar Singh has already undergone 1 month and 25 days whereas Ujjagar Singh has already undergone 1 month and 11 days of the substantive sentence. They are also ready to compensate the injured. No bad antecedents have been brought on record to deprive them of the said leniency.

Consequently this petition is dismissed with the modification in the sentence to that of already undergone, however, the petitioners shall deposit Rs.10,000/- in the name of injured with intimation to him within three months from today which will be paid to him on proper verification and identification and failing to deposit the same the petition shall be treated as dismissed.

(A.N.JINDAL)
JUDGE

December 19, 2007
Ruchika

To be referred to reporter: Yes/No